

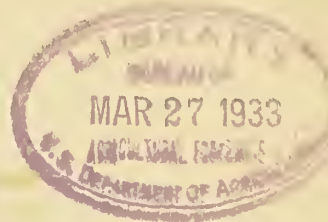
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DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.



Amendment No. 4 to Service and Regulatory
Announcements (B.A.E.) No. 125.

By virtue of the authority vested in the Secretary of Agriculture by the United States Cotton Standards Act of March 4, 1923 (U.S.C., Title 7, Secs. 51-65), I, Arthur M. Hyde, Secretary of Agriculture, do make, prescribe, publish and give public notice of the following amendment, which shall be in force and effect on and after this date, to the regulations of the Secretary of Agriculture under said Act.

In regulation 12, strike out paragraphs 1 and 2 of section 3 and substitute therefor the following:

"Sec. 3. Paragraph 1. The containers of the original universal standards and other official cotton standards of the United States, whenever such official standards are represented by practical forms, shall be marked as prescribed in the order or orders of their establishment, wrapped, and sealed with wax seals. When so marked, wrapped, and sealed they shall be deposited in a suitable vault or in a steel safe or safes, which safe or safes shall be kept sealed with an imprinted seal. The dies used to seal the first reserve set of the universal standards shall be deposited in the Treasury of the United States subject to the order of the Secretary of Agriculture; those used to seal the other official cotton standards of the United States shall remain in the custody of the chief of the bureau. Such safes shall be sealed in the presence of the solicitor of the department and the chief of the bureau, or of persons temporarily acting in their stead, and shall thereafter be opened only in the presence of the same and upon written order of the Secretary or of the person acting in his stead.

"Par. 2. As soon as practicable after the second Monday in March, 1933, and after the second Monday in March of each second year thereafter there shall be prepared two full sets of practical forms or copies of the universal standards for grades and colors of American upland cotton, which shall be known as "reserve sets" and which, upon the certification and recommendation of qualified experts, shall be certified by the Secretary as true copies of the original standards as and

when established. Such "reserve sets" shall be inclosed in metal-lined cases, likewise sealed in the presence of the solicitor of the department and the chief of the bureau, or of persons temporarily acting in their stead. One such set, to be known as the "first reserve set," shall then be delivered to agents of the Treasury Department of the United States to be deposited in the United States Treasury, and the other, to be known as the "second reserve set," shall be deposited in the vaults of the bureau in the immediate control and custody of the chief of the bureau. Such "reserve sets" shall remain so deposited until such time as they shall be required for examination, reproduction, and use, as set forth in paragraph 3 of this section. When so required they shall be withdrawn only upon the order of the Secretary or of the person temporarily acting in his stead. The seals upon the cases and containers of the practical forms shall be broken only in the presence of the solicitor of the department and the chief of the bureau, or persons temporarily acting in their stead, and experts qualified in the classification of American upland cotton authorized to be present by special agreement or authorization."

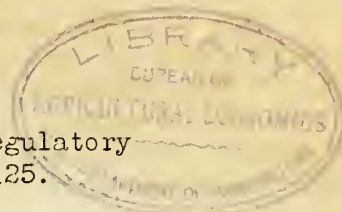
In witness whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 17th day of February, 1933.

(Signed) Arthur M. Hyde
Secretary.

(SEAL)

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

Amendment No. 5 to Service and Regulatory
Announcements (B.A.E.) No. 125.



By virtue of the authority vested in the Secretary of Agriculture by the United States Cotton Standards Act of March 4, 1923 (U.S.C., Title 7, Secs. 51-65), as amended March 4, 1933 (P.R. No. 73, 72nd Cong.), I, H. A. Wallace, Secretary of Agriculture, do make, prescribe, publish and give public notice of the following amendment, which shall be in force and effect on and after this date, to the regulations of the Secretary of Agriculture under said Act.

After regulation 11, insert the following:

Regulation 11-A.---Licensed Samplers.

Section 1. Paragraph 1. Applications for licenses to sample cotton shall be made to the Chief of the Bureau of Agricultural Economics on forms furnished for the purpose by him.

Par. 2. Each such application shall be in English and shall be signed by the applicant, shall be verified by him under oath or affirmation, administered by a duly authorized officer, and shall contain or be accompanied by (a) satisfactory evidence that he has passed his 21st birthday and that he is an actual resident of the continental United States, (b) satisfactory evidence of his experience in the handling and sampling of cotton, (c) a statement by the applicant that he agrees to comply with and abide by the terms of the law and these regulations so far as they may relate to him, and with instructions issued from time to time by the Chief of the Bureau governing the sampling of cotton, and (d) such other information as the Chief of the Bureau may deem necessary.

Sec. 2. Paragraph 1. Each applicant for a license to sample cotton shall, as a condition to the granting thereof, execute and file with the Chief of Bureau a good and sufficient bond to the United States to secure the faithful performance of his duties as a licensed sampler under the terms of the Act, as amended, and these regulations. Said bond shall be in such form and amount, not less than \$2,000, and shall have such surety or sureties as shall be approved by the Chief of the Bureau, subject to service of process in suits on the bond within the State, district, or territory, in which such licensee shall perform services as a licensed cotton sampler. Any person injured by the breach of any obligation to secure which a bond is given under this paragraph shall be entitled to sue on the bond in his own name in any court of competent jurisdiction to recover the damages he may have sustained by such breach.

Par. 2. If the Chief of the Bureau finds that the existence of conditions warrants such action, there shall be added to the amount previously required under paragraph 1 of this section such additional amount as he shall deem necessary.

Sec. 3. The period for which a license may be issued under this regulation shall be from the first day of August until and including the 31st day of July following. Renewals shall be for one year, beginning with the first day of August of each year: Provided, That licenses or renewals issued on and after June 1 of any year shall be for the period ending on July 31 of the following year.

Sec. 4. It shall be a condition of the renewal of any license hereunder that the licensed sampler shall file a new bond in the required amount with, and that such bond shall be approved by, the Chief of the Bureau or his authorized representative, provided that in the discretion of the Chief of the Bureau or his authorized representative a properly executed instrument in form approved by him amending, extending, or continuing in force and effect the obligations of a valid bond previously filed by the licensed sampler and otherwise complying with this regulation may be filed in lieu of a new bond.

Sec. 5. No bond, amendment, or continuation thereof shall be deemed accepted for the purposes of this regulation until it has been approved by the Chief of the Bureau or his authorized representative.

Sec. 6. Each applicant for a license as a sampler and each licensed sampler, whenever requested by an authorized agent of the Bureau, shall submit to an examination or test to show his ability properly to perform the duties for which he is applying for a license or for which he has been licensed, and each such applicant or licensee shall furnish the Bureau any information requested at any time in regard to his sampling of cotton.

Sec. 7. Each licensed sampler shall keep his license conspicuously posted at the place where he functions as a sampler or in such other place as may be approved by the Bureau.

Sec. 8. Each licensed sampler, when requested, shall without discrimination, as soon as practicable and upon reasonable terms, sample any cotton if the same be made available to him under conditions that will permit proper sampling. Each such licensee shall give preference to those who request his services as such over persons who request his services in any other capacity, excepting only the services required of licensed classifiers under the Act.

Sec. 9. Each licensed sampler shall be provided with seals and with tags and samplers' certificates approved or furnished by the Chief of the Bureau or his representative for identifying the samples of cotton and for certificating the condition of the cotton represented by such samples. There shall be clearly written or printed on the face of each certificate (a) the number thereof; (b) a suitable caption; (c) the warehouse or other location of the cotton involved; (d) the identification number of the bale from which the sample was drawn; (e) the date on which the sample was drawn, and (f) a statement indicating that the sample was drawn by a sampler licensed in accordance with the United States Cotton Standards Act, as amended. The use of such tags and certificates shall be in conformity with instructions issued from time to time by the Chief of the Bureau.

Sec. 10. Each official sample taken from a bale of cotton by a licensed sampler shall be drawn, prepared, and identified in such manner as may be required by the Chief of the Bureau. Each bale shall be sampled from both the top side and the bottom side, not less than 3 ounces of cotton to be drawn from each side. The head of the bale shall be properly inspected and any conditions not fully indicated by the sample shall be specified by the licensed sampler in the certificate accompanying such sample.

Sec. 11. Each licensed sampler shall carefully handle each official sample in such manner as not to cause loss of sand or other foreign material therefrom or any change otherwise in its representative character.

Sec. 12. Each licensed sampler shall permit any authorized officer or agent of the Bureau to inspect at any time his books, papers, records and accounts relating to the performance of his duties under this regulation.

Sec. 13. Pending investigation, the Secretary may, whenever he deems necessary, suspend the license of a sampler temporarily without a hearing. Upon a written request and a satisfactory statement of reasons therefor submitted by the licensee or when the licensee has ceased to perform the services for which licensed, the Secretary or the Chief of the Bureau may, without a hearing, suspend or revoke the license issued to such licensee. The Secretary may, after opportunity for hearing, when possible, has been afforded in the manner prescribed herein, suspend or revoke a license issued to a sampler when such licensee has, in any manner, become incompetent or incapacitated to perform his duties as such licensee or has ceased to perform services as a cotton sampler or has violated or evaded any provision of the Act, as amended, or this regulation so far as the same may relate to him. Before the license of any sampler is revoked for failure of the licensee to comply with the Act, as amended, or this regulation, such licensee shall be furnished by the Secretary or his designated representative a statement specifying the charges and shall be allowed a reasonable time in which he may answer the same in writing and/or apply for a hearing, an opportunity for which shall be afforded in accordance with regulation 11, section 14.

Sec. 14. In case a license issued to a sampler is suspended or revoked by the Secretary or by the Chief of the Bureau such license shall be returned to the Department. At the expiration of any period of suspension of such license, unless in the meantime it be revoked, the dates of beginning and termination of such suspension shall be endorsed thereon, it shall be returned to the person to whom it was originally issued, and it shall be posted as prescribed in section 7 of this regulation.

Sec. 15. Upon satisfactory proof of the loss or destruction of a license issued to a sampler hereunder, a new license may be issued under the same or a new number.

Sec. 16. Each licensed sampler, when requested, shall make reports on forms furnished for the purpose by the Bureau bearing upon his activities as such licensee.

Sec. 17. No person shall in any way represent himself to be a sampler licensed under the Act, as amended, unless he holds an unsuspended and unrevoked license issued thereunder.

Sec. 18. It shall be a condition of the issuance of a license to any cotton sampler under this regulation that the licensee shall not draw any official sample from any cotton in which he or his employer is financially interested.

Sec. 19. For the issuance of a cotton sampler's license under this regulation the applicant shall pay a fee of \$5.00, and for each renewal, a fee of \$3.00.

In witness whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 15th day of December, 1933.

(Signed) H. A. Wallace
Secretary.

(SEAL)